

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RODRICK PERKINS,

Plaintiff,

v.

Case No. 24-cv-11974
Honorable Linda V. Parker

THE ALCOVE TROY, *et al.*,

Defendants.

_____ /

**OPINION AND ORDER ADOPTING MAGISTRATE JUDGE’S
JUNE 6, 2025 REPORT AND RECOMMENDATION**

On July 30, 2024, Plaintiff Rodrick Perkins, proceeding pro se, commenced this lawsuit against The Alcove of Troy (“the Alcove”), Cailee Christie, Village Green, and Jane Doe (collectively, “Defendants”). (*See generally* ECF No. 1.) Mr. Perkins alleges in his complaint that he rented an apartment at the Alcove, an apartment complex managed by Village Green, and Ms. Christie, the property manager at the time, racially discriminated against him and failed to investigate the sexual harassment and stalking allegations against him by residents and staff, which led to his eviction from the Alcove. (*Id.* at PageID.23-27.) He further alleges that these events and actions violate the Fair Housing Act, 42 U.S.C. §§ 3604, 3617; the Civil Rights Act of 1866, 42 U.S.C. § 1981; the Fourteenth

Amendment; and several state laws, including defamation, emotional distress, negligence, and wrongful eviction. (*Id.* at PageID.4-5, 48.)

The matter has been assigned to Magistrate Judge David R. Grand for all pretrial proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(A) and/or a report and recommendation on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 7.)

After the matter was referred, Mr. Perkins and Defendants filed several motions.

On September 28, 2024, Mr. Perkins filed a motion to voluntarily dismiss Ms. Christie as a defendant in order to “focus on the remaining defendants.” (ECF No. 14.) On October 16, 2024, the named Defendants also filed a motion to dismiss or, in the alternative, enter an order directing Mr. Perkins to make a more definite statement as to his claims. (ECF No. 17.) Defendants argue that dismissal is proper under Federal Rule of Civil Procedure 12(b)(5) because Mr. Perkins did not serve the Defendants in accordance with Rule 4. (*Id.* at PageID.117.)

According to Defendants, Mr. Perkins also fails to meet the pleading standard in Rule 8, justifying dismissal under Rule 12(b)(6). (*Id.* at PageID.115.) On May 14, 2025, Mr. Perkins requested leave to file an additional response to Defendants’ motion. (ECF No. 29.) Lastly, on May 27, 2025, Mr. Perkins filed a motion for summary judgment, arguing that he is entitled to judgment as a matter of law because the “evidentiary record remains devoid of any admissible facts sufficient

to create a genuine issue for trial concerning [Defendants'] defamatory conduct or to undermine the clear evidence of [the] harm [he] suffered.” (ECF No. 31 at PageID.479.)

On June 5, 2025, Magistrate Judge Grand held a telephonic conference with the parties to discuss the pending motions and, based on that call, he issued a report and recommendation (“R&R”) and Order the next day. (*See* ECF No. 33.) There, he recommended that the Court (1) deny Defendants’ motion to dismiss, ECF No. 17, and (2) deny Mr. Perkins’ motion for summary judgment, ECF No. 31. (*Id.* at PageID.531-34.) And he ordered that (1) Mr. Perkins’ motion to dismiss Ms. Christie is granted, ECF No. 14, and (2) Mr. Perkins’ motion for leave to file an additional response to Defendants’ motion is denied as moot, ECF No. 29. (*Id.* at PageID.531, 533.) At the conclusion of the R&R and Order, Magistrate Judge Grand advises the parties that they may object to and seek review within fourteen days of service upon them. (*Id.* at PageID.534.) Magistrate Judge Grand specifically advises the parties further that “[f]ailure to timely file objections constitutes a waiver of any further right to appeal.” (*Id.*) Neither party filed objections to the R&R and Order.

The Court has carefully reviewed the R&R and Order and concurs with the

conclusions reached by Magistrate Judge Grand. The Court therefore adopts the R&R and Order.

Accordingly,

IT IS ORDERED that Defendants' motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(5), (6), or in the alternative, issue an order for a more definite statement (ECF No. 17) is **DENIED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that Mr. Perkins' motion for summary judgment (ECF No. 31) is **DENIED WITHOUT PREJUDICE**.

SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: July 8, 2025

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, July 8, 2025, by electronic and/or U.S. First Class mail.

s/Aaron Flanigan
Case Manager